

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

v.

1:14-cv-1025 JB-JFR

THE CITY OF ALBUQUERQUE,

Defendant,

v.

**THE ALBUQUERQUE POLICE
OFFICERS' ASSOCIATION,**

Intervenor.

**JOINT MOTION TO TERMINATE AMENDED ORDER
ESTABLISHING EXTERNAL FORCE INVESTIGATION TEAM (DOC. 906)**

Plaintiff United States of America and Defendant City of Albuquerque (*collectively*, “the Parties”), respectfully file their Joint Motion to Terminate Amended Order Establishing External Force Investigation Team (Doc. 906) (“Amended Order”), pursuant to Paragraph 38 of the Amended Order:

THE AMENDED ORDER

On March 21, 2022, this Court entered an order amending a prior order from February 2021 that established the External Force Investigation Team (“EFIT”), on a temporary basis, to assist APD in investigating Level 2 and Level 3 uses of force and to improve the quality of force investigations conducted by the Internal Affairs Force Division (“IAFD”). See id. at 1. The Amended Order authorized EFIT to conduct joint investigations with IAFD of new Level 2 and

Level 3 uses of force as well as to independently conduct investigations of backlogged cases from January 1, 2020, to January 16, 2021. See id. The team supporting IAFD on current investigations is referred to as “EFIT-1” and the team investigating the backlog is “EFIT-2.” Paragraph 38 of the Amended Order provides:

The City and DOJ agree to jointly ask the Court to terminate this Amended Order once there are a sufficient number of IAFD personnel who have met the qualifications identified in Paragraph 34 to complete investigations of all new Level 2 and Level 3 uses of force within the timelines required by the CASA, APD policy, and the CBA, provided that the EFIT Backlog Team has completed investigations of the Backlog Force Cases pursuant to the Scope of Work attached to this Amended Order as Exhibit 1.

Id.

On December 18, 2023, the Parties gave notice that EFIT-1 had completed its work and returned control of current Level 2 and Level 3 investigations to IAFD. See (Doc. 1029). Following termination of EFIT-1, EFIT-2’s completion of the backlog continued.

COMPLETION OF THE BACKLOG

EFIT completed its investigation of the final backlog cases in April 2024. On May 31, 2024, EFIT filed its Final Report on the Backlog (Doc. 1059). On August 13, 2024, the City filed its Response to EFIT’s report (Doc. 1068), as required by Paragraph 11 of the Amended Order. Accordingly, all requirements regarding the backlog contained in the Amended Order have been completed.

WHEREFORE, the Parties, with the consent of the Intervenor and the Monitor, respectfully request this Court terminate the Amended Order Establishing External Force Investigation Team (Doc. 906), pursuant to Paragraph 38 of the Amended Order.

Respectfully submitted on August 13, 2024

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CERTIFICATE OF SERVICE

I hereby certify that on August 13, 2024, I filed the foregoing pleading electronically through the CM/ECF system which caused all parties or counsel and the Independent Monitor to be served by electronic means as more fully reflected on the Notice of Electronic Filing.

/s/ Taylor S. Rahn
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